

DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:** Adopt a resolution of intention to purchase real property located at 5101 Bullion Street, Mariposa County (APN#s 013-125-001 & 013-125-002), schedule February 15, 2011 at the 9:00 a.m. meeting of the Board as the time to consummate the purchase and approve the Notice of Intention for publication.

The resolution of intention and public meeting are required by California Government Code in order to allow for the purchase of property. This property will then be available for a new courthouse.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** Your Board previously adopted a resolution scheduling this action for January 25, 2011. Due to an error at the Gazette, the notice was not properly published. The Board has previously given direction for the County Administrative Officer to enter into negotiations for said property.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:** Without adoption of the resolution and properly noticed public meeting the property cannot be purchased.

Financial Impact? ( ) Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Proposed Resolution
Source:		Proposed Notice
Internal Transfer		
Unanticipated Revenue	_____ 4/5's vote	
Transfer Between Funds	_____ 4/5's vote	
Contingency	_____ 4/5's vote	
( ) General ( ) Other		

**CLERK'S USE ONLY:**

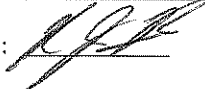
Res. No.: 11-22 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 ( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
 Attest: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California  
 By: \_\_\_\_\_  
 Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CAO: 

MARIPOSA COUNTY RESOLUTION NO: 11-22

INTENTION TO PURCHASE REAL PROPERTY

**WHEREAS**, Government Code Section 25350 requires the Board of Supervisors to provide notice of the intention of the Board to purchase real property in excess of \$50,000; and

**WHEREAS**, the Board of Supervisors has determined that it is in the public interest to purchase real property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the reason that the real property is located in an area suitable for the future development of a courthouse or other government office; and

**WHEREAS**, the owner of the property, the Mariposa SPCA, desires to sell the property to the County; and

**WHEREAS**, this Board previously adopted Resolution 10-577 scheduling the purchase for January 25, 2011; and

**WHEREAS**, notice for the January 25, 2011 meeting was not properly published.

**NOW THEREFORE, BE IT RESOLVED** that the Mariposa County Board of Supervisors hereby gives notice of its intention to purchase real property owned by the Mariposa SPCA, described above, upon the following terms and conditions:

The purchase price shall be \$250,000, and the terms of the sale are all cash at close of escrow, plus fees and costs associated with the sale, excluding taxes owed by seller.

**BE IT FURTHER RESOLVED**, that the Board will meet to consummate this purchase at the Board of Supervisors meeting scheduled on Tuesday, February 15, 2011, at 9:00 AM or as soon thereafter as the matter may be heard in the Board of Supervisors meeting room.

**BE IT FURTHER RESOLVED**, that the attached Notice of Intention shall be published in a newspaper of general circulation in the County of Mariposa at least three weeks prior to the time the Board of Supervisors meets to consummate the purchase pursuant to Government Code Section 6063.

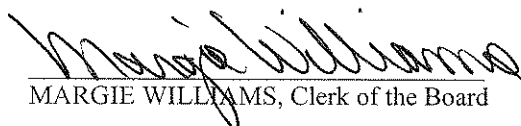
**BE IT FURTHER RESOLVED**, that Resolution 10-577 is rescinded.

**PASSED AND ADOPTED** by the Mariposa County Board of Supervisors, a political subdivision of the State of California this 18th day of January 2011.

**AYES:** STETSON, TURPIN, BIBBY, CANN, ALLEN  
**NOES:** NONE  
**EXCUSED:** NONE  
**ABSTAINED:** NONE

  
\_\_\_\_\_  
JIM ALLEN, Chairman  
Mariposa County Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
STEVEN W. DAHLEM, County Counsel

**NOTICE OF THE COUNTY OF MARIPOSA'S  
INTENTION TO ACQUIRE REAL PROPERTY**

**NOTICE IS HEREBY GIVEN** that on February 15, 2011, at the hour of 9:00 a.m. or as soon thereafter as the matter may be heard, in the Chambers of the Board of Supervisors, 5100 Bullion Street, Mariposa, California, the Board of Supervisors of the County of Mariposa will consider the proposed acquisition of property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the future development of a courthouse or other government office.

The present owner of the property is the Mariposa chapter of the Society for the Prevention of Cruelty to Animals (SPCA) which has agreed to transfer their interests in the property to the County for a cash payment of \$250,000 plus closing costs.

Any interested person may appear at the scheduled time and place and be heard on this matter. More information may be obtained and documents relating to the proposed acquisition may be examined at the Office of the Clerk of the Board of Supervisors, 5100 Bullion Street, Mariposa, California.

Dated this 18th day of January, 2011.

MARGIE WILLIAMS, Clerk of the Board of Supervisors County of  
Mariposa, State of California

## Tracy Gauthier

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**From:** Dan Tucker [mariposagazette@mariposagazette.com]  
**Sent:** Wednesday, January 12, 2011 2:33 PM  
**To:** Tracy Gauthier  
**Subject:** Re: Property Hearing

Got it, and will run it the required length. Apologize for the initial screw up, hope it isn't too much of an inconvenience. Will issue a credit for the first invoice and bill this after the run is complete. Thanks for your help.

Dan Tucker  
[mariposagazette@mariposagazette.com](mailto:mariposagazette@mariposagazette.com)

On Jan 12, 2011, at 2:18 PM, Tracy Gauthier wrote:

Hello Dan,

Attached is a "Notice of Intent" for publication in the Gazette for the following 3 consecutive weeks: 1/20, 1/27 and 2/3. I will advise Margie Williams, Rick Benson, and our accounts payable staff to disregard the invoice for the December 30, 2010 publication per our recent discussion.

If you have any questions please don't hesitate to contact me at 742-1228.

Please reply in receipt of this request.

Thank you,

Tracy  
<Property Hearing.rtf>

Mariposa Gazette  
P.O. Box 38  
5024 State Highway 140  
Mariposa, CA 95338-0038

Invoice

Bill To:

Mariposa Cnty Board of Supes  
P.O. Box 784  
Mariposa, CA 95338

Invoice #: 00012041

Date: 2/4/11

Page: 1

DATE	DESCRIPTION	AMOUNT
	1/20-27/11 2/3/11 Publication of Intention to Acquire Real Property  <div data-bbox="894 984 1305 1247" style="border: 1px solid black; padding: 5px; text-align: center;">             RECEIVED              FEB 8 2011              BOARD OF SUPERVISOR           </div>	\$430.00
Invoice Only--No Statement Will Follow--We Appreciate Your Business!		Sales Tax: \$0.00
		Total Amount: \$430.00
		Amount \$0.00
		Balance Due: \$430.00

Terms: Net 10

# Certificate of Publication

C.C.P. 2015.5



## NOT OF THE COUNTY OF MARIPOSA'S INTENTION TO ACQUIRE REAL PROPERTY

NOTICE IS HEREBY GIVEN that on February 15, 2011, at the hour of 9:00 a.m. or as soon thereafter as the matter may be heard, in the Chambers of the Board of Supervisors, 5100 Bullion Street, Mariposa, California, the Board of Supervisors of the County of Mariposa will consider the proposed acquisition of property located at 5101 Bullion Street, Mariposa, California, Assessor's Parcel Numbers (APN) 013-125-001 & 013-125-002, for the future development of a courthouse or other government office.

Attach

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Any interested person may appear at the scheduled time and place and be heard on this matter. More information may be obtained and documents relating to the proposed acquisition may be examined at the Office of the Clerk of the Board of Supervisors, 5100 Bullion Street, Mariposa, California.

Dated this 18th day of January, 2011.

MARGIE WILLIAMS, Clerk of the Board of Supervisors, County of Mariposa, State of California

1/20-27/11 2/3/11:3C

STATE OF CALIFORNIA )

) ss.

COUNTY OF MARIPOSA )

I, the undersigned, state:

I am the publisher and principal clerk of the MARIPOSA GAZETTE AND MINER, an established weekly newspaper of general circulation, within the Town and County of Mariposa, State of California, within the provision of Chapter 1 Division 7 of Title 1 of the California Government Code, and which newspaper has been printed and published weekly in the Town of Mariposa, County of Mariposa, State of California, continuously since the year 1854; that I am a citizen of the United States, over the age of 18 years, and a resident of the County aforesaid; that the notice, of which the annexed is a printed copy, has been published in each regular issue of said newspaper and not in any supplement thereof on the following dates, to wit:

1/20-27/11

+ 2/3/11

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date

2/3 2011